

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA        )  
                                        )  
                                        )  
v.                                    )        1:07cr183-WKW  
                                        )  
                                        )  
RICKEY RANDELL WREX SMITH     )

**PRETRIAL CONFERENCE ORDER**

A pretrial conference was held on October 12, 2007, before the undersigned Magistrate Judge. Present at this conference were Kevin Butler, counsel for the defendant, and Assistant United States Attorney Matthew Shepherd standing in for Nathan Stump, counsel for the government. As a result of the conference, it is hereby ORDERED as follows:

1. Jury selection is set for February 4, 2008. The trial of this case is set during the trial term commencing on February 4, 2008 before United States District Judge William Keith Watkins and is expected to last 1-2 weeks.
2. The following motion is pending: defendant's motion for extension of time to file pretrial motions.
3. Proposed voir dire questions shall be filed on or before January 28, 2008. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All motions in limine shall be filed on or before January 28, 2008. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.
5. Proposed jury instructions shall be filed on or before January 28, 2008.
6. The court will not consider a plea pursuant to Rule 11(c)(1)(A) or (C) unless notice is filed on or before noon on January 23, 2008 . The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on February 4, 2008. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on February 4, 2008, as to all defendants, even though a particular guilty plea was not accepted by the court.
7. This case is set for a final pretrial conference on January 11, 2008 at 3:00 p.m. in Courtroom 5B.

DONE, this 16<sup>th</sup> day of October, 2007.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

UNITED STATES MAGISTRATE JUDGE